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Date of Mailing or Transmission: 10-06-2008

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/SXShort/ Reg. No. 45,105
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**PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Serial No: 10/779,825	Attorney Docket No: BP2431
Application Filing Date: 02-17-2004	Inventor(s): Gottfried Ungerboeck
Examiner: TIMORY, KABIR A	
Art Group: 2609	Patent No: n/a
Confirmation No: 9140	Patent Issue Date: n/a
Title: Zero excess bandwidth modulation	

Date: 10-06-2008

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In response to a final office action mailed on 08-05-2008 (Part of Paper No./Mail Date 20080726) regarding the above-identified U.S. utility patent application, the Applicant respectfully submits the following amendment/response within two (2) months of the mailing date thereof.

The two (2) month due date for responding to the final office action falls on Sunday, 10-05-2008, and the Applicant respectfully believes that this amendment/response being filed on the immediately following business day, namely, Monday, 10-06-2008, is timely filed in accordance with 37 C.F.R. § 1.7.

The Applicant respectfully requests that the Examiner provide consideration and/or response to this amendment/response via a Notice of Allowance (or within an Advisory Action) in a reasonably timely manner so that the Applicant may actively pursue its options regarding this case, including an appeal, if necessary.